

Express Mail Label No.: EV 475 170 738 US

Date of Deposit: February 8, 2005

Attorney Docket No. 18133-058

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ziegler et al.
Serial No.: 09/811,856
Filing Date: March 19, 2001
For: ENCLOSED BATTERY ASSEMBLY FOR
AN UNINTERRUPTIBLE POWER SUPPLY

Examiner: Hae M. Hyeon
Art Unit: 2839

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Sir:

Transmitted herewith for filing in the above-identified application are the following:

- (1) ISSUE FEE TRANSMITTAL LETTER;
- (2) LETTER TO THE COMMISSIONER;
- (3) COPY OF ISSUE FEE TRANSMITTAL LETTER DATED OCTOBER 14, 2003;
- (4) COPY OF NOTICE OF WITHDRAWAL FROM ISSUE DATED MARCH 23, 2004;
- (5) CHECK IN THE AMOUNT OF \$ 40 AS THE ISSUE FEE; AND
- (6) RETURN POST CARD.

Should the enclosed check be insufficient, the Commissioner is hereby authorized to charge any further amount due to the deposit account of the undersigned, Deposit Account No. 50-0311, referencing Attorney Docket No. 18133-058. A duplicate copy of this transmittal letter is enclosed for this purpose.

Respectfully submitted,

Carol H. Peters
Registration No. 45,010
MINTZ, LEVIN, COHN, FERRIS
GLOVSKY and POPEO, P.C.
Attorneys for Applicant(s)
One Financial Center
Boston, MA 02111
Telephone: 617/348-4914
Facsimile: 617/542-2241
email: cpeters@mintz.com

Date: February 8, 2005



Express Mail Label No.: EV 475 170 738 US

Date of Deposit: February 8, 2005

Attorney Docket No. 18133-058

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ziegler et al.
Serial No.: 09/811,856
Filing Date: March 19, 2001
For: ENCLOSED BATTERY ASSEMBLY FOR
AN UNINTERRUPTIBLE POWER SUPPLY

Examiner: Hae M. Hyeon
Art Unit: 2839

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

LETTER TO THE COMMISSIONER

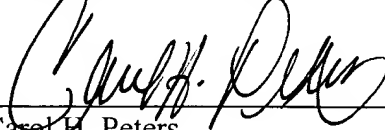
Sir:

Applicants paid the patent issue fee for the above-identified application on October 14, 2003. A copy of the Issue Fee Transmittal Letter dated October 14, 2003 is enclosed. The Office subsequently withdrew the application from issuance on March 23, 2004. A copy of the Notice of Withdrawal From Issue dated March 23, 2004 is enclosed.

Applicants responded to an Office Action mailed on April 30, 2004 to place the application in condition for allowance. The application was subsequently allowed. A copy of the Notice of Allowability is enclosed. Applicant previously paid on October 14, 2003 a total amount of \$1660.00 to the U.S. Patent Office for issue fee (\$1,330.00), publication fee (\$300.00), and ten extra copies of the issued patent (\$30.00). The Notice of Allowability due on February 8, 2005 specifies the issue fee amount due is \$40.00. Applicants submit herewith a check in the amount of \$40.00, and respectfully request the total amount previously paid be applied to the total patent issue fee and other fees that may be due.

Should the enclosed check be insufficient, the Commissioner is hereby authorized to charge any further amount due to the deposit account of the undersigned, Deposit Account No. 50-0311, referencing Attorney Docket No. 18133-058. A duplicate copy of this transmittal letter is enclosed for this purpose.

Respectfully submitted,



Carol H. Peters

Registration No. 45,010

MINTZ, LEVIN, COHN, FERRIS
GLOVSKY and POPEO, P.C.

Attorneys for Applicant(s)

One Financial Center

Boston, MA 02111

Telephone: 617/348-4914

Facsimile: 617/542-2241

email: cpeters@mintz.com

Date: February 8, 2005



Notice of Allowability

Application No.	Applicant(s)	
09/811,856	ZIEGLER ET AL.	
Examiner	Art Unit	
Hae M Hyeon	2839	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

- 1. ☒ This communication is responsive to Preliminary Amendment C filed on 6-18-03.
- 2. ☒ The allowed claim(s) is/are 1-9 and 17-21.
- 3. ☐ The drawings filed on _____ are accepted by the Examiner.
- 4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 - 1. ☐ Certified copies of the priority documents have been received.
 - 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.
- 5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) ☐ The translation of the foreign language provisional application has been received.
- 6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

- 7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
- 8. ☒ CORRECTED DRAWINGS must be submitted.
 - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☒ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

- 9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____ | 6 <input type="checkbox"/> Examiner's Amendment/Comment |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance: In combination with all the limitations recited in the independent claim, all the prior arts do not show an uninterruptible power supply (UPS) comprising an energy storage device cap that has a housing that forms an opening through which a plurality of lead wires pass or an underside that is constructed and arranged to provide paths to rout the plurality of lead wires to a plurality of terminals as recited in claim 1; an UPS comprising a housing means that includes means for providing strain relief for each of the plurality of lead wires as recited in claim 9; and a battery cap having an underside that contacts a top portion of the battery, the lead wires being contained in paths formed in the underside of the battery cap as recited in claim 17.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hae M Hyeon whose telephone number is 703-308-4802. The examiner can normally be reached on Mon.-Fri. (8:30-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn D Feild can be reached on 703-308-2710. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9318 for regular communications and 703-872-9319 for After Final communications.

Application/Control Number: 09/811,856

Page 3

Art Unit: 2839

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

Any response to this action may be mailed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

For additional information regarding this new address, which was effective May 1, 2003, see *Correspondence with the United States Patent and Trademark Office*, 68 Fed. Reg. 14332 (March 25, 2003).

Or Faxed to:

(703) 308-7722 or 308-7724

(informal or draft communications should be clearly labeled "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to:

Crystal Plaza 4, Fourth Floor (Receptionist)

2201 South Clark Place, Arlington, Virginia.

Hae M Hyeon

Examiner

Art Unit 2839

hnh
July 9, 2003

Hae Moon Hyeon



UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

Paper No. 031104

MINTZ, LEVIN, COHN, FERRIS, GLOVSKY
& POPEO, P.C.
ONE FINANCIAL CENTER
BOSTON, MA 02111

<input checked="" type="checkbox"/> File Folder	Done By
<input checked="" type="checkbox"/> Data Entry	
<input checked="" type="checkbox"/> Docket Entry	
<input checked="" type="checkbox"/> Docket Cross Off	
<input checked="" type="checkbox"/> Previously Entered	
<input checked="" type="checkbox"/> No Docketing Req	
<input checked="" type="checkbox"/> Order Copies	
<input checked="" type="checkbox"/> Comments	

MAR 23 2004

In re Application of:
William Ziegler, et al.
Serial No.: 09/811856
Filed: March 19, 2001
Attorney Docket No.: 18133-058

NOTICE OF WITHDRAWAL
FROM ISSUE
UNDER 37 CFR § 1.313

The purpose of this communication is to inform you that the above-identified application is being withdrawn from issue pursuant to 37 CFR § 1.313.

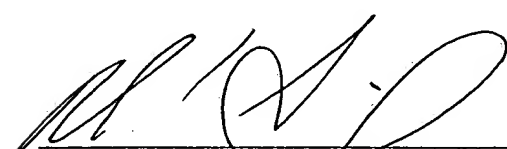
The above-identified application is hereby withdrawn from issue. The Notice of Allowance and Issue Fee Due and the Notice of Allowability mailed July 11, 2003, are hereby vacated.

The application is being withdrawn to permit reopening of prosecution. The reasons therefor will be communicated to you by the examiner.

Upon receipt of a new Notice of Allowance and Issue Fee Due, applicant may request that any previously submitted issue fee be applied toward payment of the issue fee in the amount identified on the new Notice of Allowance and Issue Fee Due. If the application is abandoned, applicant may request either a refund, or a credit to a Deposit Account.

Telephone inquiries should be directed to Lynn Feild at (571) 272-2092.

The above-identified application is being forwarded to the examiner for prompt appropriate action.


Richard K. Seidel, Director
Technology Center 2800
Semiconductors, Electrical and Optical
Systems and Components

RECEIVED

APR 05 2004

MINTZ LEVIN, BOSTON
PATENT DOCKET DEPT.